

REMARKS

A non-final office action, which was mailed October 2, 2006, objected to claims 1 and 16-17, and rejected all pending claims 1-17. An Interview with Examiner Hwang was held on December 27, 2006. In this Amendment in Reply, Applicant amends claims 1 and 16-17. As such, claims 1-17 remain pending. In light of the understandings reached during the interview summarized below, Applicant respectfully requests the Examiner's reconsideration of the pending claims in view of the amendments and arguments set forth in this response.

INTERVIEW SUMMARY

The undersigned thanks Examiner Hwang for the courtesies extended during the telephonic interview on December 27, 2006. During the Interview, Agreement was reached as to the differences between the subject matter of Applicant's claims (as currently amended) and U.S. Publ. Pat. Appl. 2004/0083191 to Ronnewinkel et al. Such differences include, for example, classifying incoming electronic messages using query-based classification in addition to example-based classification. As was discussed, query-based classification generally involves evaluating predefined questions to traverse through a categorization scheme.

Agreement was also reached regarding language to overcome the subject matter rejections under 35 U.S.C. § 101. In particular, agreement was reached that, in the context of Applicant's claims, a tangible final result could be found in a step of storing, in a data storage element, a business object associated with at least one of: (1) a category selected using the query-based classification step, and (2) a previous electronic message identified by the example-based classification step. In this Amendment in Reply, Applicant amends independent claims 1 and 16-17 in a way believed to be in accordance with what the Examiner indicated would overcome the subject matter rejections.

Applicant thanks the Examiner for taking the time to interview this case.

CLAIM OBJECTIONS: CLAIMS 1 AND 16-17

The office action objected to claims 1 and 16-17 for informalities. The amendments (described below) to these claims are believed to be sufficient to remove the informalities. Applicant requests that the Examiner remove these objections.

CLAIM AMENDMENTS: CLAIMS 1 AND 16-17

In accordance with suggestions from the Examiner Hwang during the Interview, Applicant makes clarifying amendments to independent claims 1 and 16-17. As amended, the claims more clearly specify query-based classification. These amendments find support throughout the originally filed claims, figures, and specification. For example, support for these amendments may be found at least in Figures 2A, 3, and 5, and in the specification at paragraphs at [0034, 0061-0066, and 0167-0168]. As such, these amendments introduce no new matter.

CLAIM REJECTIONS UNDER 35 U.S.C. § 101: CLAIMS 1-12 AND 14-17

The office action rejected claims 1-12 and 14-17 as being directed to non-statutory subject matter under 35 U.S.C. § 101. Applicant respectfully submits that all claims, including 1-12 and 14-17, have features that establish “useful, concrete, and tangible” final results.

In accordance with the Examiner's suggestions during the interview, Applicant amends independent claims 1 and 16-17 to clarify that the claims produce concrete, tangible, and useful results. In particular, tangible results of the claims include business object information that has been retrieved from data storage. The retrieved business object information is useful, for example, if included in a response message, or if sent for display on a display device as a suggestion to a user. (See, e.g., specification at paragraphs [0009, 0016-0017, and 0073-0080].) As such, independent claims 1 and 16-17 are directed to statutory subject matter, as are claims 2-15, each of which depends, either directly or indirectly, from claim 1.

Applicant amends independent claim 16, in accordance with the Examiner's suggestion, to recite “storage device” instead of “information carrier.” As pointed out by the Examiner,

support for this amendment can be found in the originally filed specification at least at pages 58-59.

Applicant amends independent claim 17 to recite “a processor” and a “memory.” As such, claim 17 provides elements of a machine or manufacture within the meaning of 35 U.S.C. § 101. Support for this amendment can be found in the originally filed specification at least at pages 58-59.

Although Applicant amends certain claims to advance prosecution, Applicant believes that, before amendment, such claims contained patentable subject matter. As such, Applicant reserves the right to pursue claims of the same or similar scope in the future. In accordance with the foregoing amendments and remarks, Applicant requests that the rejections under 35 U.S.C. § 101 be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(E): CLAIMS 1-17

The office action rejected claims 1-17 as anticipated under 35 U.S.C. § 102(e) by U.S. Publ. Pat. Appl. 2004/0122799 to Ronnewinkel et al. (“the Ronnewinkel reference”). Claims 1, 16, and 17 are independent.

As discussed during the Interview, the cited reference does not teach or suggest query-based classification, as recited in Applicant's claims 1 and 16-17. For at least this reason, the cited reference neither anticipates nor renders obvious any of Applicant's independent claims 1, 16, or 17. As such, independent claims 1 and 16-17 are each believed to contain patentable subject matter over the cited reference, as do claims 2-15, each of which depends, either directly or indirectly, from claim 1.

Although Applicant amends certain claims to advance prosecution, Applicant believes that, before amendment, such claims contained patentable subject matter. As such, Applicant reserves the right to pursue claims of the same or similar scope in the future. In accordance with the foregoing amendments and remarks, Applicant requests that the rejections of claims 1-17 under 35 U.S.C. § 102(e) be withdrawn.

CONCLUSIONS

Accordingly, each of the pending claims 1-17 (as amended) defines subject matter that is patentable over the cited prior art. Furthermore, each of the pending claims is believed to be in form for allowance. As such, Applicant requests that the Examiner allow all pending claims 1-17.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Although no fees are believed to be owed, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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